

# United States Court of Appeals For the First Circuit

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No. 06-1155  
DC No. 05-10227

SUZANNE CARLSON

Plaintiff - Appellant

v.

UNITED STATES

Defendant - Appellee

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## ORDER OF COURT

Entered: March 13, 2006

Appellant's motion for leave to proceed in forma pauperis and supporting financial affidavit are transmitted to the district court for action in the first instance pursuant to Fed. R. App. P. 24(a)(1). Copies of the district court's ruling shall be forwarded to this court. The district court, if it denies the motion, is requested to state its reasons in writing. Fed. R. App. P. 24(a)(2). If appellant is not granted in forma pauperis status by the district court, he may file a motion to proceed in forma pauperis in this court, provided that he do so in accordance with Fed. R. App. P. 24(a)(5).

By the Court:  
Richard Cushing Donovan, Clerk

**MARGARET CARTER**

By: \_\_\_\_\_  
Chief Deputy Clerk

### CERTIFIED COPY

I HEREBY CERTIFY THIS DOCUMENT  
IS A TRUE AND CORRECT COPY OF  
THE ORIGINAL ON FILE IN MY OFFICE  
AND IN MY LEGAL CUSTODY.

FIRST CIRCUIT COURT OF APPEALS  
BOSTON, MA

By: J. Calardo Date: 3.13.06

[certified copy to Hon. William G. Young, Sarah A. Thornton, Clerk]  
[cc: Timothy J. Burke, Esq., Melissa L. Halbig, Esq., Barry E. Reiferson, Esq., Rachel I.  
Wollitzer, Esq.]

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

SUZANNE CARLSON,

Appellant,

v.

CIVIL ACTION NO. 05-10227-WGY

UNITED STATES OF AMERICA

Appellee.

AFFIDAVIT OF SUZANNE CARLSON  
IN SUPPORT OF HER MOTION TO PROCEED ON APPEAL IN FORMA PAUPERIS

I, Suzanne Carlson, depose and say that I have personal knowledge of the foregoing statements:

1. That because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them.
2. I believe that I am entitled to redress from the decision entered by this Court on October 6, 2005.
3. My issues on Appeal are whether the Court erred in it's determination that the United States did not abuse its discretion.
4. The address of my legal residence is 10 Philips Farm Road, Marshfield, MA 02050. My daytime phone number is (339) 793-1418. I am 40 years of age.
5. I am a single parent. I have one son, Kyle E. Carlson, 18 years old, who is currently living with me, who relies on me for support. Since he is 18, I will no longer be receiving child support for him.
6. I am currently self-employed.
7. The following is an estimate of the average amount of money received from each of the following sources during the past twelve months:
  - a. Employment \$ 0.00
  - b. Self-employment \$ 2,500.00
  - c. Income from Real Property \$ 0.00
  - d. Interest and dividends \$ 0.00

e.	Gifts	\$	0.00
f.	Alimony	\$	0.00
g.	Child Support	\$	400.00
h.	Retirement	\$	0.00
i.	Disability	\$	0.00
	I. Social Security		\$0.00
	II. Insurance		\$0.00
j.	Unemployment Payments	\$	0.00
k.	Public-Assistance	\$	0.00
l.	Other	\$	0.00

<u>TOTAL MONTHLY INCOME</u>	<u>\$ 2,900.00</u>
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8. The following is an estimate of the average amount of money I expect to receive from each of the following sources during the next month: (Same as paragraph number 7, except I am no longer receiving child support for my son who is now 18.)

<u>TOTAL MONTHLY INCOME</u>	<u>\$ 2,500.00</u>
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9. My employment history is as follows:  
Self-employed.
10. I have approximately \$ 0.00, in cash.
11. I do not have any bank accounts.
12. I do not own any assets.
13. I am not owed any unpaid debts or money.
14. The following is an estimate of average monthly expenses for myself and my son:

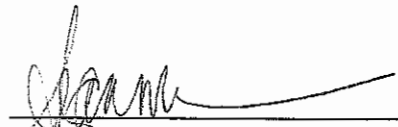
a.	Rent/mortgage	\$	2,500.00
b.	Utilities	\$	600.00
c.	Home maintenance/repairs	\$	0.00
d.	Food	\$	150.00
e.	Clothing	\$	100.00
f.	Laundry/dry-cleaning	\$	0.00
g.	Medical/dental	\$	260.00
h.	Transportation	\$	450.00
i.	Recreation	\$	0.00
	I. Entertainment	\$	0.00
	II. Newspapers	\$	0.00
j.	Insurance (not incl. wages)	\$	0.00
	I. Homeowner's/Renters	\$	0.00
	II. Life	\$	0.00

III. Health	\$397.00
IV. Motor Vehicle	\$ 0.00
V. Other:	\$ 0.00
k. Taxes	\$ 0.00
l. Installment Payments	\$ 0.00
I. Motor Vehicle	\$ 0.00
II. Credit Card(s):	\$ 0.00
III. Dept. Store(s):	\$ 0.00
IV. Other:	\$ 0.00
m. Alimony/Maintenance/Support (Paid to others)	\$ 0.00
n. Regular Expenses for Business Operations/Profession/Farm	\$ 0.00
TOTAL MONTHLY EXPENSES	\$ <u>.00</u>

15. I do not expect any major changes to the above estimates of monthly income, expenses, assets or liabilities.

16. I have paid \$350.00 towards my Attorney's fees.

6 Signed under the pains and penalties of perjury, this day of March, 2006.

  
\_\_\_\_\_  
Suzanne Carlson